

**quinn emanuel trial lawyers | new york**

51 Madison Avenue, 22nd Floor, New York, New York 10010-1601 | TEL (212) 849-7000 FAX (212) 849-7100

WRITER'S DIRECT DIAL NO.  
(202) 538-8122

WRITER'S EMAIL ADDRESS  
sarahconcannon@quinnemanuel.com

October 11, 2024

**VIA ECF**

The Honorable Alvin K. Hellerstein  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

*As ordered*  
*10-11-24*  
*Alvin K. Hellerstein*

Re: *Johnson v. Musk, et al.*, Case No. 1:22-cv-05037-AKH

Dear Judge Hellerstein:

We represent Defendants Elon Musk and Tesla, Inc. in the above-referenced matter, and write pursuant to Your Honor's Individual Rules, Section 1.D., to respectfully request that the Court extend Defendants' time to respond to Plaintiffs' Oppositions to Defendants' Motion to Amend, Make Additional Findings, and Amend Final Judgment (the "Oppositions") (Dkt. Nos. 116-18) and Plaintiffs' Cross-Motion for Sanctions, Disqualification, and to Seal Document (the "Cross-Motion") (Dkt. Nos. 126-27) to **October 25, 2024**. We attempted to confer with Plaintiffs' counsel concerning this request, but received no response from Evan Spencer, to whom Santos A. Perez deferred, despite multiple attempts.

Defendants seek this brief extension of time in light of the Yom Kippur and Columbus Day holidays, which fall within the period of Defendants' response pursuant to the Local Rules of Procedure. In addition, Defendants seek this extension because Plaintiffs' Oppositions and Cross-Motion were filed between 8:48 p.m. and 10:35 p.m. on Thursday, October 10, 2024, and comprise, in total, 120 pages of briefing, declarations, and exhibits (in response to Defendants' 21-page initial submission and supporting attorney declaration). In the absence of an extension, Defendants' deadline to respond to the Oppositions is October 17, 2024 and Defendants' deadline to oppose the Cross-Motion is October 24, 2024. This is Defendants' first such request for an extension.

On October 11, 2024, beginning at 9:31 a.m., Defendants' counsel attempted to contact Plaintiffs' counsel, Messrs. Spencer and Perez, to request their assent to this request for extension.

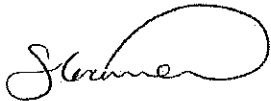
**quinn emanuel urquhart & sullivan, llp**

ATLANTA | AUSTIN | BOSTON | BRUSSELS | CHICAGO | HAMBURG | HONG KONG | HOUSTON | LONDON | LOS ANGELES | MANNHEIM | MIAMI |  
MUNICH | NEUILLY-LA DEFENSE | NEW YORK | PARIS | PERTH | SALT LAKE CITY | SAN FRANCISCO | SEATTLE | SHANGHAI | SILICON VALLEY |  
STUTTGART | SYDNEY | TOKYO | WASHINGTON, DC | ZURICH

Mr. Perez responded, but deferred to Mr. Spencer. Mr. Spencer did not respond to undersigned counsel's outreach, including two emails and a voicemail.

Defendants' respectfully request that this Court grant an extension of their time to respond to the Oppositions and the Cross-Motion until **October 25, 2024**.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S. Heaton Concannon". The signature is fluid and cursive, with a large loop at the end.

Sarah Heaton Concannon